

Application/Control No.: 10/693042
Art Unit: 1647

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REMARKS

Claims 1-28 remain pending in the application. Claims 1-3, 8-10, 15-17 and 22-24 have been amended herein. No new matter has been introduced by any of the amendments.

The time taken by Examiners Wegert and Kemmerer to participate in a telephone discussion with Dr. Richard Sterner on April 7, 2008 is acknowledged with gratitude. The Examiners' input and attention are much appreciated. The amendments herein to the claims and the remarks below are reflective of the issues discussed.

Claims 1-7 and 15-28 are made allowable by deleting the word "biosimilar"

The previous addition of the word "biosimilar" to many of the claims and the Examiners' contention that this constituted addition of new matter was discussed. The Examiners acknowledged that sufficient examples of known analogues of *beta* interferon had been provided in the last response to fulfill the written description requirement and overcome the rejection. The Examiners agreed that, therefore, claims 1-7 and 15-28 would be allowable if the term were simply deleted, without replacement with any other term, in all instances. Accordingly, such action has been taken via the amendment herein of claims 1-3, 15-17 and 22-24; these claims have thus been returned to their original form.

Claims 8-14 are made allowable by deleting the phrase "halting or"

The issue of the previous replacement of the term "preventing" with "halting" was also discussed. The Examiners conceded that the latter term could not accurately be called similar to the former. However, they maintained their stance that the term "halting" conveys, in this context, complete cessation of the progressive chronic inflammation and that there were neither data in the application to demonstrate this effect, nor sufficient guidance as to treatment parameters that would result in this effect. The Examiners acknowledged that the term "attenuating" in claim 8 does not put any particular limit on the degree of reduction of

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progressive chronic inflammation encompassed by the claim. With this in mind and with the Examiners' indication that deletion, without replacement, of "halting" would be remedial, such action has been taken via the amendment herein of claim 8. This action and the deletion of "biosimilar" from claims 8-10 put claims 8-14 in a form that the Examiners indicated would make them allowable.

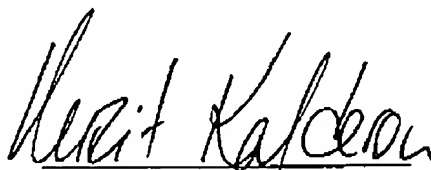
Conclusion

The amendments to the claims and remarks herein are responsive to the suggestions made by the Examiners during the April 7, 2008 telephone conference and are reflective of the issues discussed and understanding reached at that time. The Examiners further acknowledged that the amendments herein meet the criteria for entry after final rejection, i.e., they do not raise any new issues or require any further search, and they put the claims in better condition for appeal. All outstanding issues have been addressed, and the application is in condition for allowance. Reconsideration and allowance of the application with pending claims 1-28 as presented herein are respectfully requested.

No fees are due in connection with this communication and none have been provided herewith.

Dated: April 17, 2008

Respectfully submitted,



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